

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

870M0003

## HOUSE ENGROSSED NO. **HB 1056** - 01/25/2006

Introduced by: Representatives Hanks, Brunner, Elliott, Glover, Hennies, McLaughlin, and  
Turbiville and Senators Gray and McCracken

1 FOR AN ACT ENTITLED, An Act to permit municipalities to delegate to employees the  
2 authority to enter into certain contracts on behalf of the municipality.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-1-5 be amended to read as follows:

5 9-1-5. ~~Contracts~~ No contract of a municipality ~~shall not be~~ is valid unless the contract has  
6 been authorized by a vote of the governing body at a duly assembled meeting thereof.

7 ~~—All written contracts of and conveyances by the municipality~~ Each written contract shall be  
8 executed in the name of the municipality by the mayor or president of the board of trustees, be  
9 countersigned by the auditor or clerk, and have the corporate seal attached. However, the  
10 governing body of a municipality may, by ordinance or resolution, delegate to any employee of  
11 the municipality the authority to enter into a contract on behalf of the municipality and to  
12 execute the contract and any other instrument necessary or convenient for the performance of  
13 the contract subject to the limitations delegated by the governing body.

